

U.S. Department of Labor

U.S. Department of Labor
Office of Administrative Law Judges
525 Vine Street - Suite 900
Cincinnati, Ohio 45202



DATE: March 3, 1999

CASE NUMBER: 1998-RIS-61

In the Matter of

U.S. DEPARTMENT OF LABOR
PENSION AND WELFARE BENEFITS ADMINISTRATION,
Complainant

v.

TENNECO AUTOMOTIVE,
Respondent

ORDER

On August 25, 1998, the Pension and Welfare Benefits Administration, U.S. Department of Labor, issued a Notice of Determination on Statement of Reasonable Cause to the Plan Administrator, Tennessee Gas Pipeline Company. The Notice of Determination asserted a penalty in the amount of \$8,650.00 based upon the Department's determination that a variety of deficiencies appeared in the Tenneco Automotive Hourly Employee Savings Plan Annual Report. The regulations identify entities who are "parties" to these proceedings. 29 C.F.R. § 2570.63.

I note with interest that the determination letter of the Pension and Welfare Benefits Administration is addressed to the Plan Administrator, Tennessee Gas Pipeline Company. However, a response to the Determination Letter was filed by Rex C. Abercrombie, who is the Plan Administrator for the Tenneco Automotive Hourly Employee Savings Plan. The stationery used in preparing that response contained the captioned name "Tenneco Automotive." For some reason, the name Tenneco Automotive has been used as the Respondent in this case even though the determination was made against Tennessee Gas Pipeline Company.

IT IS HEREBY ORDERED that the parties to this proceeding will advise the undersigned within 10 days of the date of this order as to the correct legal name of the Respondent in this case.

RUDOLF L. JANSEN
Administrative Law Judge